

The Identity Card Bill: Roles and Strategies

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Modern Policy Debates

We tend to look to the U.S. as the ideal disaster and recovery.

- USA PATRIOT Act story is told over and over again as the worst case scenario.
- REAL-ID was no better: passed by Senate in an appropriations bill.

Opposing the USA PATRIOT Act

Non-governmental organisations generating campaigns.

Court cases pursued by individuals and organisations..

Countering legislation at the local level.
Media coverage.

“A new poll to be released today by the University of Connecticut found that a majority of Americans support the Patriot Act, but most are not knowledgeable about the law's details when asked specific questions.

The poll also found that "the more the public knows about the Patriot Act, the less they support it," according to a summary of the findings. Less than 60 percent of those who know the intent of the law support it, compared with 70 percent who do not know its intent, the survey said.

The survey of 802 adults also found that only 14 percent of those polled supported all the major provisions of the law when asked about them in detail.”

- “Gonzales Faults Senate Version of Patriot Act Legislation”,
Dan Eggen, Washington Post, Tuesday, August 30, 2005; A09

Opposing REAL-ID

- Non-governmental organisations.
- State governors associations.
- Conflicting court decisions.
- Foreign countries (e.g. Mexico).
- Costs articulations.

The National Governors Association is threatening lawsuits to fight the legislation. And some states are threatening to ignore the legislation because they say it will cost up to \$700 million for states to comply and will place a heavy burden on Department of Motor Vehicles workers.

Marc Rotenberg, executive director of the Electronic Privacy Information Center, said more than 600 organizations -- including state legislation associations, civil liberties groups and pro-immigrant advocates -- opposed the bill.

"This is one of the biggest mistakes Congress has ever made," Rotenberg said. "This is not over by any means."

- "National ID Battle Continues", Kim Zetter, Wired News, May 12, 2005

UK ID Card Bill Chronology

- First murmurs arose after Sept 11
- Consultation in 2002
- Government sponsored studies in 2002
- Larger consultation in 2003
- Select Committee on Home Affairs in 2004
- Draft Bill for consultation
- Introduced in December 2004; passed Commons in February 2004.
- Reintroduced in May 2005...

‘The Gold Standard’

- National register.
- Biometric data on all Britons: fingers, face, and iris.
- Verification at all government service-points.
- Use by private sector is expected.

Purpose: to combat illegal immigration, terrorism, and identity theft.

To be paid for by the card holder.

Who will step up in Britain?

Weak civil society.

Political alliances are dubious.

80% of the country approved of ID cards.

A Labour Government.

‘International obligations’.

Marches and Iraq.

Taking lessons from the U.S.

- Costs articulations are powerful in the face of ‘balance’.
- Break up the problem, realise that there is a multiplicity of actors and interests.
- People enjoy having the problem explained in full detail: the more they know the less they like it.
- Always rely on proponents to be their own worst enemies.

An un-co-ordinated campaign

- No2ID
- Liberty
- Privacy International
- Local angry people
- Parliamentarians with a variety of interests and concerns.
- Industry statements and concerns.

A Recipe for Informing Deliberation

Build links with industry and academic institutions.

Mix in some angry academics who will give hours of their lives for nothing in return.

Sift with gentle public disclosures and leaks.

Do the hard work, and never assume that Government has perfect information. Offer alternatives.

Wait until Government heats up and starts calling you names.

Mr Clarke said it was “technically incompetent” and contained figures that were “simply mad”. He accused the LSE of running a campaign against ID cards. Behind the scenes the Home Office has been pressuring the university to withdraw the study in a way that Sir Howard Davies, its director, has described as “bullying and intimidating behaviour”. So there you have it. Our elected government lies and it bullies.

- Times Editorial, July 3, 2005

John Humphries: If we'd had ID cards, it would have made no difference yesterday, would it?

Charles Clarke: I doubt it. I doubt it would have made a difference, and I've never argued and don't argue that ID cards would prevent any particular act. The question is, on ID cards, but also on any other security measure actually, in the balance of the ability to deal with particular threats, and civil liberties, does a particular measure help or hinder. I actually think ID cards does help rather than hinder. But if you asked me would ID cards or indeed any other measure have stopped yesterday, I can't identify any measure which would have just stopped it like that.

- The Today Programme, July 8, 2005

"Perhaps in the past the Government in its enthusiasm oversold the advantages of ID cards. We did suggest or at least implied that they may well be a panacea for ID fraud, benefit fraud, terrorism and entitlement, and access to public services."

- Tony McNulty, Home Office Minister, July/August 2005

“A YouGov poll for The Daily Telegraph shows that backing for ID cards has plummeted from 78 per cent less than two years ago to 45 per cent.”

- Daily Telegraph, July 4, 2005

“The bombings have provided a modest boost to public support for identity cards. Support for ID cards has risen quite suddenly from 45 per cent a week ago to 50 per cent now. Even so, a substantial majority, 56 per cent, still doubt whether ID cards would help to prevent future outrages.”

- “Britons will never give in to terrorists”, Anthony King, Daily Telegraph, July 9, 2005

"Although only a few may originate policy, we
are all able to judge it."

- Pericles, as quoted in Popper's *the Open Society and its Enemies*, Vol. I

Is this sustainable?

Can the UK and Europe sustain such a level of public discourse?

- Need to develop civil society.
- Need to foment national debate and to stop pissing on the U.S.
- Need to incorporate a national respect to international human rights instruments.
- Need to understand international policy dynamics.